

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

WILMA M. PENNINGTON-THURMAN, )  
                                  )  
Plaintiff,                    )  
                                  )  
v.                             )                                  No. 4:15CV1628 RWS  
                                  )  
UNITED STATES OF AMERICA, et al., )  
                                  )  
Defendants,                    )

**MEMORANDUM AND ORDER**

Plaintiff purports to bring this action, “on behalf of [herself] and other similarly situated,” under the Emergency Economic Stabilization Act (EESA) in order to interfere with an unlawful detainer action in state court. This action is legally frivolous, and it is dismissed.

Under 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint filed in forma pauperis if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. An action is legally frivolous if it is meritless on its face.

Plaintiff alleges that she is subject to an unlawful detainer action in state court, *Fed. Home Income Loan Mortgage, Corp. v. Pennington*, 1522-AC00946-01. It appears that this action is related to *Bank of America v. Pennington*, 1422-CC09976, which she removed to this Court and which this Court remanded, *Bank of America v. Singer*, 4:15CV381 RLW. The allegations in the complaint are vague and conclusory, but it appears she believes that the EESA prevents the state court from holding proceedings against her.

There is no private cause of action under the EESA, which was “designed to ‘provide authority and facilities that the Secretary of the Treasury can use to restore liquidity and stability

to the financial system of the United States.’’’ *Chase Home Finance, LLC*, 677 F.3d 1113, (11th Cir. 2012) (quoting 12 U.S.C. § 5201(1)). Therefore, plaintiff’s allegations are legally frivolous.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff’s motion to proceed in forma pauperis [ECF No. 2] is **GRANTED**.

**IT IS FURTHER ORDERED** that this action is **DISMISSED** without prejudice.

An Order of Dismissal will be filed separately.

Dated this 28th day of October, 2015.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE